

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CAROLYN TOMASSI on behalf
of T.T.

Plaintiff,

-v.-

Civil Action No.
6:12-cv-1653 (GLS/ESH)

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Office of Peter W. Antonowicz
148 West Dominick Street
Rome, New York 13440

PETER W. ANTONOWICZ, ESQ.

FOR THE DEFENDANT:

Social Security Administration
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, New York 10278

ANDREEA L. LECHLEITNER,
ESQ.

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-

Recommendation by Magistrate Judge Earl S. Hines, duly filed November 22, 2013. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Earl S. Hines filed November 22, 2013 (Dkt. No. 16) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that the Commissioner's decision denying disability-based benefits is REVERSED and REMANDED, pursuant to sentence four of 42 U.S.C. §405(g), for further proceedings necessary to develop a full evidentiary record; and it is further

ORDERED, that the Clerk of the Court is to mail copies of the Order to the parties in accordance with the court's local rules.

IT IS SO ORDERED.

Dated: January 28, 2014
Albany, New York


Gary L. Sharpe
Chief Judge
U.S. District Court